

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

SAMANTHA PETTINGILL, et al.

:

Plaintiffs

:

v.

: Civil Action No. 05-224 GMS

JOHN CALDWELL, et al.

:

Defendants

:

**ORDER**

WHEREAS, on April 25, 2007, this case was reassigned from Judge Joseph J. Farnan, Jr. to Judge Gregory M. Sleet;

WHEREAS, on July 11, 2007, an oral order was issued granting the parties an extension of time until July 15, 2007, within which to file a proposed scheduling order with the court;

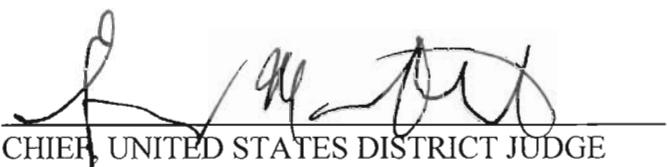
WHEREAS, on October 5, 2007, an Order was issued directing the parties to submit a proposed scheduling order by October 18, 2007, and advising that failure to do so may result in dismissal of this case for failure to prosecute pursuant to District of Delaware Local Rule 41.1 (D.I. 94);

WHEREAS, on October 12, 2007, counsel for the defendant, Daniel P. Bennett, Esq., filed a letter advising the court of his attempts to contact the pro se plaintiffs and their former counsel with regard to formulating a proposed scheduling order (D.I. 95)

WHEREAS, to date, the court's docket reflects no further contact with the court by the parties.

IT IS HEREBY ORDERED that:

The above-captioned civil action is dismissed without prejudice pursuant to District of Delaware Local Rule 41.1.



CHIEF UNITED STATES DISTRICT JUDGE

October 19, 2007

